UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>28 February 2006</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>30-58</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>30-58</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>09 December 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☒ All   b) ☐ Some * c) ☐ None of:
      1. ☒ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>12/09/2004</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action in response to application February 28, 2006. Claims (30-58) are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 30, 34, 36-45, 49, and 51-58 are rejected under 35 U.S.C. 102(e) as being anticipated by Elson et al. (US Patent Publication No. 2003/0014521).

3. As to claim 30, Elson teaches a **network including a plurality of devices, each device being capable of wireless communication with the other devices of the network** (e.g., WLAN par. 232, lines 12-15), **at least some of said devices having one or more resources for sharing with the other devices of the network** (i.e.,608, fig.6, device drivers representative of shared devices on the network) , **the network including administration means** (i.e., controlling access module) **for allowing selected devices to be associated within a domain including at least three of said devices by providing each device with identification data** (claim 1; lines 24-28),

the identification data (i.e., packet) **of each device being interpretable** (i.e., recognize and authenticate) **by each other device within the domain** (par. 231, lines 14-19), **particular modes** (i.e., trusted and un-trusted source/non-secure networks/par. 231) **of communication** (i.e., packet tunneled though non-secure networks/par. 231) **only being allowed between devices within the domain** (i.e., network/par. 231) **having such identification data** (i.e., packet), **the administration means** (i.e., controlling access module) **including means for selectively enabling sharing of said resources between the devices within the domain and which is operable to maintain a store** (i.e., schedule) **indicating the resources available for sharing between respective devices within the domain and to provide these devices with data to enable selective sharing of resources** (claim 1; lines 24-28).

4.   As to claim 34, Elson teaches a **network where each device has a security certificate associated therewith indicating its membership of the domain** [par. 210-par. 211].

5.   As to claim 36, Elson teaches a **network where the administration means transmits to each device within the domain data indicative of the characteristics** (e.g., platform independent open device interface) **of the other devices within the domain** (i.e., Elson teaches a platform independent open device interface architecture. Elson teaches the support of various functionality shared by all devices within said architecture [par. 84, lines 1-13]).

6.   As to claim 37, Elson teaches a **network where the administration means** (i.e., resource control) **is transferable** (i.e., distributed throughout network) **from one device to another** (i.e., Elson teaches the ability for resource control may be centralized (i.e., one device) or distributed throughout the network [par. 213, lines 1-4].

7.   As to claim 38, Elson teaches a **network where a plurality of devices within the domain include administration means** (i.e., resource control), **and means is provided to selectively enable only one** (i.e., centralized) **of said administration means** (i.e., resource control) **at a time** (i.e., Elson teaches the ability for resource control may be centralized (i.e., one device) or distributed throughout the network [par. 213, lines 1-4].

8.   As to claim 39, Elson teaches a **network including a plurality of said domains** (i.e., plurality remote platform) [claim 18, lines 11-13].

9.   As to claim 40, Elson teaches a **network where a device** (i.e., device drivers) is **associated with each of said plurality of domains** (i.e., plurality remote platform) [claim 18, lines 4-8].

10.   As to claim 41, Elson teaches a **network where at least one of the devices within the domain includes control means** (i.e., resource management module) for **controlling use of** (i.e., management) **its resources by other devices within the domain** [claim 18, lines 4-8].

11.   As to claim 42, Elson teaches a **network where the control means** (i.e.,

generate schedule) **limits access by said other devices to only selected ones of**

said resources [claim 18, lines 22-24].

12.   As to claim 43, Elson teaches a **network where the control means limits the**

amount of use (i.e., time limit) **by said other devices to said resources** [par. 215,

lines 9-11].

13.   As to claim 44, Elson teaches a network **where the control means prompts**

(i.e., login) **the operator of the device making resources available** (i.e., visible

available resources) **to authorize use of said resources by said other devices when**

a request for use of said resources is received therefrom [par. 216].

14.   As to claim 45, Elson teaches a **method allowing selected devices within a**

network to be associated within a domain (i.e., telematics system) **that includes at**

least three [fig, 10, resource 1-3] **of said devices** (e.g., Bluetooth radio, 802.11 radio,

cellular telephone [par. 116, lines 1-7], **each device being capable of wireless**

communication (e.g., WLAN) **with the other devices of the domain** (e.g., WLAN par.

232, lines 12-15) **and at least some of said devices having** (i.e., residing) **one or**

more resources for sharing with the other devices of the domain [e.g., platform]

(i.e. Elson teaches available shared resources residing on a platform [claim 18, lines 22-

24]), **the method including adapting** (e.g., establishing) **one device** (e.g., PDA)

within the domain (e.g., network) **to provide each other device with identification data** [i.e., unique ID] (i.e., Elson teaches a PDA establishing it's credentials with the network [par. 227, line 5-6]. Elson teaches access authentication to resource within the network is controlled buy using a unique ID. Elson teaches the assigning of the unique ID [par. 223]), **the identification data** (i.e., packet) **of each device being interpretable** (i.e., recognize and authenticate) **by each other device within the domain** (par. 231, lines 14-19), **particular modes** (i.e., trusted and un-trusted source/non-secure networks/par. 231) **of communication** (i.e., packet tunneled though non-secure networks/par. 231) **to only being allowed between devices within the domain** (i.e., network/par. 231) **having such identification data** (e.g., UID/par.220), **the adapted device selectively enabling sharing of said resources between the devices within the domain by maintaining a store** (i.e., schedule) **indicating the resources available for sharing between respective devices within the domain and providing these devices with data to enable selective sharing of resources** (claim 1; lines 24-28).

15.   As to claim 49, Elson teaches a **method where each device has a security certificate associated therewith indicating its membership of the domain** [par. 210-par. 211].

16.   As to claim 51, Elson teaches a **method where the adapted device transmits to each device within the domain data indicative of the characteristics** (e.g., platform independent open device interface) **of the other devices within the domain**

(i.e., Elson teaches a platform independent open device interface architecture. Elson teaches the support of various functionality shared by all devices within said architecture [par. 84, lines 1-13]).

17.   As to claim 52, Elson teaches a **method including changing the device within the domain which provides each other device with identification data** (i.e., identification metadata) [claim 25].

18.   As to claim 53, Elson teaches a **method including allowing the formation of a plurality of said domains** (i.e., plurality remote platform) [claim 18, lines 11-13].

19.   As to claim 54, Elson teaches **a method where a device** (i.e., device drivers) **is associated with each of said plurality of domains** (i.e., plurality remote platform) [claim 18, lines 4-8].

20.   As to claim 55, Elson teaches a **method where use** (i.e., accessing to activate) **of the resources of at least one of the devices** (i.e., radio display) **within the domain** (i.e., audio subsystem) **by other devices** (i.e., button) **in the domain** (i.e., audio subsystem) **is controlled** (i.e., gateway) [par. 132].

21.   As to claim 56, Elson teaches a **method where controlling the use of the resources of at least one of the devices within the domain by other devices in the**

domain includes limiting access (i.e., time – limit) **by said other devices to only selected ones of said resources** [par. 215, lines 9-11].

22.   As to claim 57, Elson teaches a **method where controlling the use of the resources of at least one of the devices within the domain by other devices in the domain includes limiting the amount of use** (i.e., time –limit) **by said other devices of said resources** [par. 215, lines 9-11].

23.   As to claim 58, Elson teaches a **method where controlling the use of the resources of at least one of the devices within the domain by other devices in the domain includes prompting** (i.e., log on) **the operator of the device making resources available** (i.e., visible available resources) **to authorize use of said resources by said other devices when a request for use of said resources is received therefrom** [par. 216].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

24.   Claims 31, 32, 33, 35, 46-48, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elson in view of Morgan (US Patent Publication No. 2003/0204738).

25.   As to claims 31, 32, 33, and 35, the system disclosed by shows substantial features of the claimed invention (discussed in the paragraph above), it fails to disclose:

A network where the identification data received from the administration means includes a key (claim 31).

A network where the key is a shared key (claim 32).

A network where the key is a public key of a public-private key pair, the private key being stored on the administration means (claim 33).

A network including further keys for allowing encrypted communication between the devices within the domain (claim 35).

However, these features are well known in the art and would have been an obvious modification of the system disclosed by Elson as introduced by Morgan. Morgan discloses:

> **A network where the identification data received from the administration means includes a key** (claim 31) (to provide means to transmit key within transmitted data [fig. 4a; fig. 4b]).

> **A network where the key is a shared key** (claim 32) (to provide shared key capability [par. 100]).

> **A network where the key is a public key of a public-private key pair** (to provide public-private key pair [par. 24]), **the private key being stored on the administration means** (claim 33) (to provide shared key capability [par. 18]).

> **A network including further keys for allowing encrypted communication between the devices within the domain** (claim 35) (to provide encrypted communication [par. 75, lines 16-21]).

Therefore, given the teachings of Morgan, a person having ordinary skill in the art at the time of the invention would have recognized the desirability and advantage of modifying Elson by employing the well known features of secure distribution of digital content disclosed above by Morgan, for which network security will be enhanced [par. 75, lines 16-21].

26.   As to claims 46, 47, 48, and 50, the system disclosed by shows substantial features of the claimed invention (discussed in the paragraph above), it fails to disclose:

A method where the identification data includes a key (claim 46).

A method where the key is a shared key (claim 47).

A method where the key is a public key of a public-private key pair, the private key being stored on the adapted device (claim 48).

A method including providing further keys for allowing encrypted communication between the devices within the domain (claim 50).

However, these features are well known in the art and would have been an obvious modification of the system disclosed by Elson as introduced by Morgan. Morgan discloses:

A method where the identification data includes a key (claim 46) (to provide means to transmit key within transmitted data [fig. 4a; fig. 4b]).

A method where the key is a shared key (claim 47) (to provide shared key capability [par. 100]).

A method where the key is a public key of a public-private key pair, the private key being stored on the adapted device (claim 48) (to provide shared key capability [par. 18]).

A method including providing further keys for allowing encrypted communication between the devices within the domain (claim 50) (to provide encrypted communication [par. 75, lines 16-21]).

Therefore, given the teachings of Morgan, a person having ordinary skill in the art at the time of the invention would have recognized the desirability and advantage of modifying Elson by employing the well known features of secure distribution of digital content disclosed above by Morgan, for which network security will be enhanced [par. 75, lines 16-21].

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN WRIGHT whose telephone number is (571)270-3826. The examiner can normally be reached on 8:30 am - 5:30 pm Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AYAZ Sheikh can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRYAN WRIGHT/

Examiner, Art Unit 2131

/Ayaz R. Sheikh/

Supervisory Patent Examiner, Art Unit 2131